

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

CURTIS LEVAR WELLS, JR.,

Plaintiff,

v.

JAVIER FUENTES, et al.,

Defendants

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Case No. 1:22-cv-00140-MSN-IDD
Next Event:

JOINT MOTION FOR ENTRY OF A BRIEFING SCHEDULE

COMES NOW PLAINTIFF, by counsel, and for the Joint Motion for Entry of a Briefing Schedule, and, therefore, respectfully states as follows:

1. On February 8, 2022, Plaintiff filed his Complaint in this action.
2. On the same day, Plaintiff also filed his claim against the United States under the Federal Tort Claims Act, Military Claims Act, and associated provisions, by way of a SF-95.
3. On July 5, 2022, Plaintiff filed his Amended Complaint pursuant to Fed. R. Civ. P. 15(a)(1)(B).
4. Other than confirmation of receipt of the SF-95, Plaintiff has received no response to the FTCA claims against the United States.
5. The United States' deadline to respond or deny such claim is August 8, 2022; Plaintiff is prohibited to add the United States as a party-defendant in this action until after such deadline passes.
6. If no response is forthcoming from the United States by its deadline, it is Plaintiff's intention to request the Court for leave to amend the Complaint and to join the United States as a defendant.

7. Coincidentally, on July 18, 2022, undersigned counsel made defense counsel aware of the prospective plan to request leave to file a Second Amended Complaint adding the United States.
8. In response, defense counsel expressed the reasonable concern regarding the filing of a third set of pleadings in response to the prospective Second Amended Complaint.
9. In consideration of judicial economy and substantial fairness to Defendants, counsel for Plaintiff together with counsel for the County of Arlington, Mr. Samuel, and Counsel for Fuentes et al, Ms. Winneberger, jointly request the Court to issue an order setting a briefing schedule to comport with the timeline afforded to the United States, and, therefore, to enlarge Defendants' present deadlines to file responsive pleadings or motions in response to Plaintiff's Amended Complaint, presently set for July 19, 2022.
10. Thereafter, the anticipated motions could be scheduled for one motions day reducing the burden on the Court's docket.
11. The United States Defendants are not yet represented by counsel in this action, however, should the United States be added hereto, its deadline to answer or file responsive pleadings would be, approximately, October 9, 2022.
12. Plaintiff reserves all arguments and his opposition to Defendants' Motions to be made in due course.

WHEREFORE, Plaintiff respectfully requests the Court enter a briefing schedule establishing a uniform deadline for all parties to Answer or file Responsive Pleadings, to include the prospective addition of the United States, to a date certain after the United States is joined as a party hereto and the prospective Second Amended Complaint is filed.

Dated July 18, 2022.

Respectfully submitted,

Curtis Wells,

By: _____/s/_____
Counsel

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CERTIFICATE OF SERVICE

I hereby certify on this day, June 24, 2022, that the foregoing paper was filed and served with the Clerk of Court via the Court's CM/ECF system, which will send notice of such filing to all registered users.

_____/s/_____
Matthew A. Crist
Counsel for Plaintiff